

REMARKS

We are in receipt of the Office Action dated June 10, 2003, and the above Amendment and following remarks a made in light thereof.

Claims 1-17 are pending in the application, with claims 4-17 having been withdrawn from consideration pursuant to a restriction requirement. Pursuant to the Office Action, claims 1-3 stand rejected under 35 USC 103 as being unpatentable over Drake 1,168,865 in view of Lem et al. 6,359,247 (for claim 1); Drake in view of Lem et al. and Clopton 5,311,983 (for claim 2); and Drake in view of Lem et al. and Norton 6,427,831 (for claim 3).

Typically, conveyor systems are custom designed for specific installations, with accessories such as transfers and diverters being permanently affixed or mounted within the conveyor system at desired locations. If, at some future time after the initial installation the conveyor system needs to be reconfigured, extensive disassembly and custom remounting of the diverters and transfers is required.

By way of the present invention, a conveyor system is provided in which accessories such as diverters and transfers are carried between side frames on elongated tracks associated therewith that permit the accessory to be semipermanently mounted in a first location and then, should the configuration need to be

changed, moved along the track to a second location to which it is again semipermanently mounted.

In the illustrated embodiment, the side frame members 16, 18 include an elongated U-shaped track or channel 24 that receive a mating portion 26 in the form of a slide plate that is secured to the accessory. Once the accessory is in the desired location, it is secured to the side frames 16, 18 by tightening the bolt in the slide plate, thus locking the accessory to the channel. (See paragraph [0032] of the specification.) By way of the foregoing amendment, claim 1 has been amended to call for a slide plate and locking bolt, as described above.

The primary reference relied upon by the examiner in his rejection of the pending claims is Drake. Drake is directed to a conveyor system having a single "deflector" 20 supported by bridge members 11, 12 and having wheels 18, 19 that move on side rails 16 and 17. The deflector 20 is attached to a cable 28 trained about a series of pulleys 29 that permit the deflector to be moved along the length of the conveyor to change the point of delivery or discharge of the conveyed article while the conveyor is being operated. This permits the conveyor system of Drake to employ a single deflector anywhere along the length of the conveyor system during its use to provide substantially instantaneous positioning of the deflector at an infinite number of locations while the conveyor is being operated.

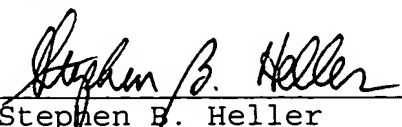
In contrast, the claimed invention is directed to a conveyor system in which the transfers and diverters are semipermanently mounted to the conveyor frame. These accessories are not capable of or intended to be moved along the length of the conveyor while the conveyor is being operated, as in Drake. Instead, in the claimed invention, the transfers and diverters include at least one slide plate received in an elongated track which allow the transfers and diverters to be locked in place in the track by adjusting a locking bolt. Drake includes no such means for locking its deflector in place at a single location along the rails.

Consequently, Applicant submits that the claimed invention is not obvious in view of Drake because the requirement that the accessories slide plate that is received in an elongated track and can be locked thereto by adjustment of a bolt. Such an adjustable, locking slide plate is contradictory to the teachings of Drake, and would result in the Drake device being unable to achieve its intended advantages.

Accordingly, Applicant submits that the claims, as amended, clearly distinguish over the prior art, and an early Office Action indicating allowance of the claims is earnestly solicited.

Respectfully submitted,

Dated: October 10, 2003



Stephen B. Heller
Attorney of Record
Registration No.: 30,181